

Remarks

Reexamination and reconsideration of the rejections are hereby requested.

The pending claims have been canceled in favor of new claim 29. It is noted that previously pending claims 1, 2, 5-28 had been rejected under 35 U.S.C. § 102(a) as being anticipated by Buchalter, U.S. Statutory Invention Registration H2064. The rejection is moot in that claims 1-28 have been canceled. In addition, it is noted that the Statutory Invention Registration is effective as of its filing date of November 28, 2000. This date is after the effective filing date of the present application and therefore does not constitute prior art.

At the outset, the inventor, René Robert, and the undersigned attorney wish to thank Examiner Weisberger for according them telephone interviews of sufficient length to discuss the issues surrounding this application. In particular, we wish to thank the examiner for drafting a claim directed to the invention. During a telephone interview on May 10, 2007, the claim was modified with inputs from the inventor and Examiner Weisberger.

While no agreement was reached, Examiner Weisberger suggested that this new claim be presented in an amendment after final action. Given the over seven years length of the prosecution, the examiner indicated that he will enter this amendment and either allow the application or reopen prosecution. The undersigned attorney asked whether it would be necessary to file a Notice of Appeal to prevent abandonment and the examiner indicated that that would not be necessary.

It is submitted that new claim 29 is free of the prior art and is therefore allowable. Early favorable action is requested.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,
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